

STATE OF MICHIGAN DEPARTMENT OF STATE POLICE

DATE: Friday, March 22, 2013
TO: MSP and Court Staff
FROM: Ted Kilvington, MSP Court Reporting Coordinator
SUBJECT: Dissemination Changes

Recent changes to criminal history dissemination laws become effective April 1, 2013. These modified:

- Drug Treatment Court (MCL 600.1076; amended by PA 547 of 2012)
- Parental Kidnapping (MCL 750.350a; amended by PA 548 of 2012)
- 7411/Controlled Substance (MCL 333.7411; amended by PA 549 of 2012)
- Domestic Violence (MCL 769.4a; amended by PA 550 of 2012)

Under current law, cases reported to the MSP Criminal History Section as being on a deferred probation (DP) status outlined by one of those statutes are considered public, with the cases becoming non-public only after they are reported to MSP as being dismissed (DM) from probation. After April 1, 2013, all cases on a deferred probation status outlined by one of those four statutes will become non-public.

Four types of criminal history dissemination purpose codes will be changing:

PUR: J and PUR: DHS. All queries using LEIN purpose codes J and DHS will now receive all incidents on file as either deferred probation or dismissed under these four statutes.

PUR: C. All queries (except by the Michigan Department of Corrections) using LEIN purpose code C will now receive all incidents on file as either deferred probation or dismissed under these four statutes. MDOC users will not receive those incidents for PUR: C queries. Incidents on file as deferred or dismissed under MIP (Minor In Possession) probation will also no longer be disseminated under PUR:C.

PUR: E. All queries using LEIN purpose code E – whether via LEIN, employment fingerprints or ICHAT – will no longer receive any incidents on file as either deferred probation or dismissed under these four statutes.

Deferred probation cases may no longer be submitted to MSP as part of the same disposition as a conviction or bind-over. Also, cases sealed at the Michigan level will be expunged at the federal level. No changes were made to any other LEIN purpose codes, and no changes were made to any other type of probation status such as HYTA, Veterans Court, or Practicing Under the Influence.

While no programming changes were made to other purpose codes, it is possible that the changes that did occur may affect other queries. If you notice any other changes to dissemination made after April 1, please contact MSP Court Reporting Coordinator Ted Kilvington at KilvingtonT@michigan.gov.